

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ROBERT DOWNER and
NANCY DOWNER
Plaintiff,

V.

TOWN OF BURLINGTON,
ROBERT MERCIER individually and in
his capacity as Town Manager,
FRANCIS HART, individually and in his
capacity as Chief of Police, and
HARRY SAWYER,
Defendants


CIVIL ACTION NO. 05-11761RCL

RENEWED MOTION TO ENLARGE TIME
TO RESPOND TO MOTION TO DISMISS

Now come the Plaintiffs above named and move to extend the time to respond to Defendants' Motion to Dismiss through December 28, 2005. In support of this motion Plaintiffs show that Defendants have filed a comprehensive motion to dismiss each count of Plaintiffs' complaint. Defendants have had the benefit of the several months since the complaint was filed in order to prepare their motion. A comprehensive response to that motion will require additional time beyond the fourteen days allowed by the rule to respond. In addition, the coming holidays also mean that there are days when the office of Plaintiffs' counsel is closed. Plaintiffs note that this case has not yet been scheduled for an initial conference, and that the additional time to respond will not cause any delay in this case.

Respectfully Submitted
By Plaintiffs' attorney,

December 16, 2005




Brian Rogal, Esq., BBO #024920
LAW OFFICES OF TIMOTHY M. BURKE
160 Gould Street, Suite 111
Needham, MA 02494-2300
(781) 455-0707

Certificate of Service

I hereby certify that I have served a true copy of the foregoing document upon each other attorney of record by mailing first class postage prepaid.

December 16, 2005



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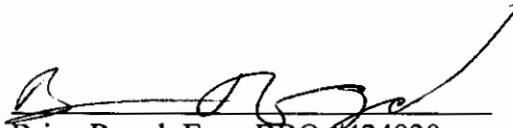
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LOCAL RULE 7.1 CERTIFICATION FOR
MOTION TO ENLARGE TIME TO RESPOND
TO MOTION TO DISMISS

Now come the Plaintiffs above named and certify that they have consulted
opposing counsel regarding their motion to extend the time to respond to Defendants'
Motion to Dismiss and that counsel has no opposition.

Respectfully Submitted
By Plaintiffs' attorney,

December 16, 2005


Brian Rogal, Esq., BBO #424920
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A handwritten signature in black ink, appearing to be "S. R. [unclear]", is written over a horizontal line.